

**RECEIVED
CENTRAL FAX CENTER**

OCT 20 2006

Docket No.: 19682

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paula M. Sosalla et al.

Serial No.: 10/748,411

Filing Date: December 29, 2003

Title: Article Featuring An Interior Graphic

Confirmation No. 7552

Customer No. 23556

Group No. 3761

Examiner: Melanie Jo Hand

**DECLARATION OF LISA L. BUSHMAN
UNDER 37 CFR §1.131**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I, Lisa L. Bushman, declare as follows:

1. I reside at N4403 Fritsch Road, Kaukauna, WI, 54130.
2. I am employed by Kimberly-Clark Corporation, and am one of the inventors named on the above-identified patent application, which is assigned to Kimberly-Clark Worldwide, Inc.
2. This Declaration is being made with respect to Patent and Trademark Office Rule 131 to establish the date of invention with respect to the claims being prosecuted therein.
3. Prior to September 24, 2003, the claimed article, including all the elements thereof, had been reduced to practice in the United States. The reduction to practice included the fabrication of each element recited in each of the independent claims 1, 18, 19, and 24 as set forth in the application as originally filed.
As seen in the attached Exhibit #1, representing laboratory notebook entries and an internal memorandum, the invention was fully conceived and reduced

Serial No. 10/748,411

Docket No.: 19682

to practice prior to September 24, 2003. Certain sections of Exhibit #1 have been blanked out or deleted, as such sections contain proprietary or other information that is not needed for evaluation of this Declaration.

4. Each of the dates blanked out in Exhibit #1 is a date prior to September 24, 2003.

5. Because of my unfamiliarity with the legal issues involved, an attorney of record has assisted in the drafting of this Declaration.

6. I hereby declare that all statements made herein based on my own knowledge are true, and that all statements made on information and belief are believed to be true. These statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: October 16, 2006 By: Lisa L. Bushman
Lisa L. Bushman

Attorney Contact Info:
Randall W. Fieldhack
Registration No. 43,611
Attorney For Applicants

CERTIFICATE OF TRANSMISSION

I, Mary L. Marchant, hereby certify that on October 20, 2006, this document is being facsimile transmitted to the United State Patent and Trademark Office, Fax No. (571) 273-8300.

Mary L. Marchant
Mary L. Marchant

Serial No. 10/748,411

Docket No.: 19682

EXHIBIT #1

52

PROPERTY OF KIMBERLY-CLARK CORPORATION

PROJECT NO. 322BOOK NO. P-3002TITLE Interior Training Aid GraphicFrom Page No. 52**INTERIOR TRAINING AID GRAPHIC**

Some type of graphics that are on the inside of the pant – something that may disappear

what type of substance is safe for kids' skin?

- cosmetic grade colorings
- needs to fade or disappear
- could change color – from one color to another
- needs to be quite visible to begin with

Key idea:

the disappearing feature on the inside is interactive—the child must pull down their PULL-UPS® to check and see whether the graphic is still there. The whole procedure could be approached with potty training in mind...go into the bathroom, pull down their training pant, and check. While they are checking—go to the potty!

- encourages child to use the potty – get into a routine
- consistency in training approach
- positive/reward
- encourages practice of pulling down/pulling back up

Possible designs:

smiley face
flowers
trucks/cars
stars

Next Steps:

do a search on training aids

“ “ “ disappearing graphics (Olson)

make prototypes

stamp pad w/ washable, water color paints

washable markers w/ stencils

something “set in place” with spray starch (colored sugar-super fine)

use Jello for the above – blue or green or orange jello

Do a disclosure

To Page No. 52Prepared by SuzellaRecorded by Risa BushmanWitnessed [Signature]Date [Signature]

BEST AVAILABLE COPY

EAGLE BRAND FOODS, INC. CORPORATION

PROJECT NO. 322BOOK NO. P-3002TITLE Interior Training Aid Graphic

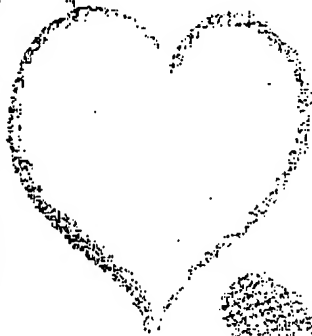
From Page No. 53

This is a follow-up to the idea disclosed on pg. 52 of this book. In [redacted] Lisa Pushman and I had our lab technicians make product prototypes representing the idea. We took stencils and, using children's washable markers, drew some space planet objects onto spunbond liner material. Then we hand modified some standard Pull-Ups® products to place this piece of liner in the target zone of the pants, underneath the current body side liner. We gave 10 products to [redacted] to use at home on his little boy, [redacted]. They worked in the way we thought they would - when [redacted] urinated in the products, the image underneath the liner "disappeared."

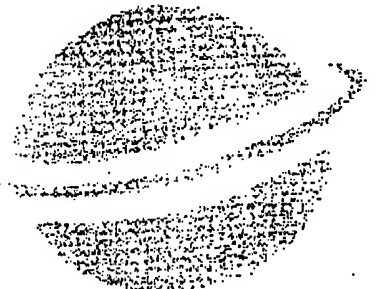
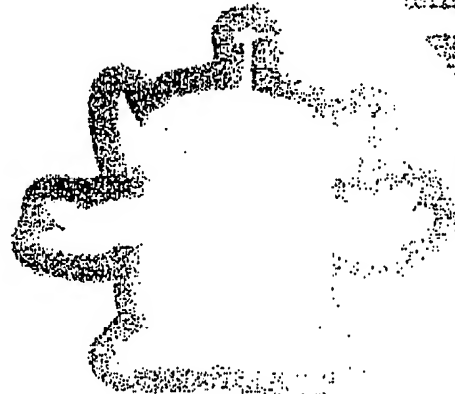
Below are representations of the types of images that would be printed onto either tissue or spunbond liner for use in the training pants as an interior, disappearing, training aid graphic.

In addition, I thought of the term [redacted] as a possible trademark phrase to use in association with this feature.

Paula Szall



PMS



Paula Szall

Work completed by

Paula Szall

Witnessed by

Paula Szall

Witnessed by

InterOffice

 **Kimberly-Clark Corporation**




To: Distribution

Date: 


From: P. Sosalla; L. Bushman

Subject: Interactive Interior Training Aid

Background:


When we were considering new ideas for a training aid for  we thought of putting a disappearing graphic on the *inside* of the pant. This would solve a problem, because the stretchy outer cover of  is somewhat thicker than the outer cover of current PULL-UPS® training pants, which makes seeing the current type of disappearing graphics through the  outer cover difficult. Additionally, we thought this may be a new and positive approach for a training aid, because to see if they had kept their training pant dry, the child needs to pull the pant down to look—thereby teaching and reinforcing the pulling down, pulling up, “BIG KID” idea. Furthermore after the child has pulled down their PULL-UPS® training pants to check the disappearing graphics inside, this is the perfect opportunity for them to go to the potty!

With this idea in mind, we thought of what to use to apply a graphic design on the inside, front of the pant that would stay visible when dry and not rub off on the child's skin, and also disappear if the child urinated—and not rub off on the skin. We tried water based, washable markers, which seemed to work very well for this application. Invention Disclosure 19882 “Interactive Interior Training Aid,” L.L. Bushman and P.M. Sosalla has been submitted in support of this concept.

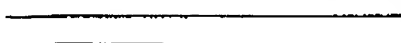
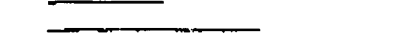

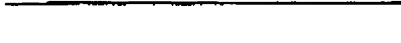

Before trying pants on children to test how this idea worked, we wanted to test it out ourselves first, using the  loading method.

Product construction:

Products were constructed using the current  chassis.

To provide the Interactive Interior Training Aid within a training pant, two prototypes were created utilizing the  product form. The first prototype, Code A, was prepared by applying a graphic upon the top / body side of the liner. This was done by drawing an image using a washable color marker on the surface of the liner that would dissolve when insulted. The graphic was allowed to dry on the liner prior to testing.

Code B was constructed by creating a graphic embellished carrier sheet (tissue) that was placed below the liner. This was achieved by removing the existing tissue, surge and liner layers and replacing with new tissue, surge, and liner with the insertion of the graphic tissue between the surge and liner in the target insult area. See illustration below for location of the printed tissue.

	(Liner)
	(Tissue with fading graphic)
	(Surge)
	(Tissue)
	(Absorbent, Outer Cover)

Protocol:

To determine if the ink from the graphic would transfer to the skin, the following protocol was utilized. The training pant was loaded using the  protocol entailing wrapping an

BEST AVAILABLE COPY

absorbent article around the forearm, taping the sides of the product to ensure security, and via tubing loading the product with three consecutive insults of 60 ml at a flow rate of 15 ml / sec., 45 seconds apart and applying elastic netting over the product to hold it in place. The product was then worn on the arm for approximately 30 minutes with frequent arm movements allowing the product to rub against the skin. After the designated time period, the products were removed from the arm and the skin was assessed to determine the transfer of ink to the skin. Photos were taken to document the results.

Results / Conclusions:

both wore each code around a forearm. Code A (graphic applied on the body side of the liner) left traces of marker on both of the wearers' skin—more so on [REDACTED] arm (see photo 3). The marker easily washed off the skin with soap and water.

Code B (graphic applied to a piece of tissue, placed directly beneath the spunbond liner) did not leave any visible trace of marker on either wearer's skin (see photo 5). When looking closely at the liner, we did not see any trace of marker that had come up through the liner (see photo 4).

Additionally, the majority of the graphic design, when wetted with the insults, dissolved and disappeared down into the absorbent, beneath the surge layer. The surge layer does not appear to retain any of the marker ink, making it look like the design has truly disappeared.



Photo 1- Code B: dry image

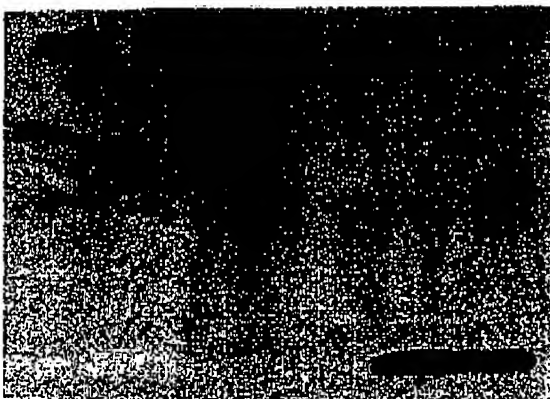


Photo 2 - Code A: A portion of the ink remained on top of the liner allowing it to transfer to the skin as illustrated in photo 3

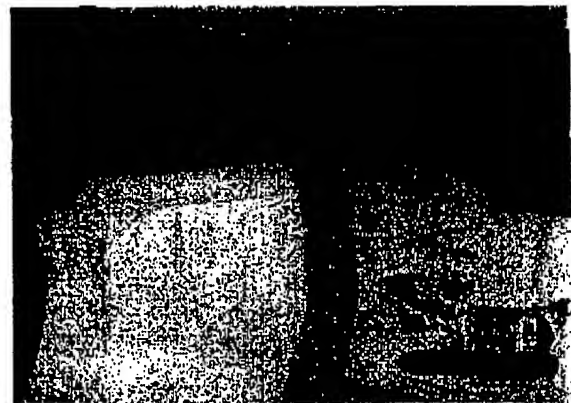


Photo 3 - Code A: Ink transfer to skin

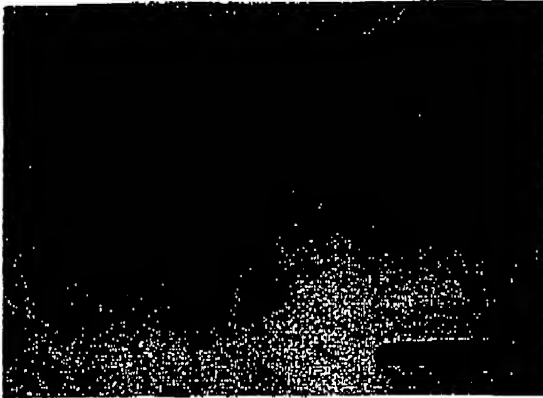


Photo 4 – Code B: Ink remained below the surface the liner as washed into the surge materials.



Photo 5 – Code B: Skin remained clear of ink transfer.

Next Steps:

A request for safety clearance has been submitted. Pending the outcome of approval, a small usage and preference test will be conducted to determine the child / parent reactions to this concept.

Encouraged by these preliminary results, our next step will be to make up approximately ten pants of Code B and give them to [REDACTED] to use at home with his son, [REDACTED]. We will have him retain the used products for inspection, as well as keep a diary that will tell us if any marker ink transferred to [REDACTED] skin under any circumstances. In addition, [REDACTED] reaction to the interior training aid will be documented within the diary.